

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

LEROY LAMONT WELLS,

Plaintiff,

v.

MARK NOOTH, et al.,

Defendants.

HERNANDEZ, District Judge.

Case No. 2:16-cv-00758-JE

ORDER TO DISMISS

On December 5, 2016, the court determined that plaintiff is not entitled to proceed *in forma pauperis* in this case. As a result, the court advised him that if he did not pay the \$400.00 filing fee within 30 days, it would dismiss his case. Plaintiff has not paid the filing fee, but instead objects to the court's Order denying him *in forma pauperis* status, moves to amend his pleading, and moves for a preliminary injunction. None of these filings justify extending *in forma pauperis* status


to plaintiff. Where plaintiff is not entitled to *in forma pauperis* status, and where he has not paid the \$400.00 filing fee, the court dismisses this case without prejudice.

**CONCLUSION**

The court dismisses this case based upon plaintiff's failure to pay the \$400.00 filing fee. Plaintiff's pending Motion to Amend (#41) and Motion for Preliminary Injunction (#42) are denied.

IT IS SO ORDERED.

DATED this 13 day of January, 2017.

  
\_\_\_\_\_  
Marco A. Hernandez  
United States District Judge